



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for Permit Application

30-Day Notice

Issue Date: October 15, 2008
Expiration Date: November 13, 2008
Corps of Engineers No: NWP-2007-1026
Oregon Department of State Lands No: 39663-FP

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: Jean Battle
North Bend Field Office
2201 North Broadway, Suite C
North Bend, Oregon 97459

Applicant: Mr. Will Mattox dba Royal Meadows, LLC

Location: The project is located on the north side of Royal Avenue, immediately east of Amazon Creek, in west Eugene, Lane County, Oregon (Section 20, Township 17 South, Range 4 West.)

Waterway: Amazon Creek and abutting wetlands.

Project Description: Royal Meadows, LLC, proposes to discharge fill into 12.6 acres of wetlands abutting Amazon Creek to construct a low- to medium-density, mixed-use development, Royal Meadows. Installation of a stormwater outfall involves excavation through the north levee of Amazon Creek's "A Channel" below Ordinary High Water Mark (OHWM), installation of a 24-inch diameter culvert, and the discharge of 15 cubic yards of soil and riprap to stabilize the culvert. Appropriate measures, such as sandbags, would be implemented to isolate the work below OHWM from the open water in the A Channel. The site is within the City of Eugene's Urban Growth Boundary. The delineation submitted by the applicant identifies 13.61 acres of wetlands and 0.88 acres of jurisdictional waters on the 30.2-acre site. The Corps has not completed its review of the wetland delineation.

Mitigation: The project avoids impacts to 1.01 acres of wetlands and 0.85 acres of waters on site. To minimize unavoidable impacts construction areas would be marked to restrict impacts to the project area. Sediment and erosion control measures would remain in place throughout project construction. Stormwater would be pretreated prior to entering the municipal drainage system.

The applicant has proposed compensatory mitigation at three sites in the Amazon Creek watershed as follows:

- Site 1 (west of Greenhill Road): enhance 13.98 acres of wet prairie abutting the Amazon Diversion Channel;
- Site 2 (27661 Crow Road): create 1.22 acres of wet prairie and 0.28 acres of forested wetland, and enhance 16.83 acres of forested wetland and wet prairie;
- Site 3 (West Eugene Wetlands Mitigation Bank): purchase 1.36 wetland credits.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To meet the identified need for mixed-use development within the Eugene-Springfield metropolitan area.

Drawing(s): Eleven (11) drawings are attached and labeled Corps NWP-2007-1026.

Additional Information: Additional information may be obtained from Jean Battle, Project Manager, U.S. Army Corps of Engineers at (541) 756-2097, or email jean.m.battle@usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office, interested Native American Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers No: NWP-2007-1026

Notice Issued: October 15, 2008

Oregon Department of State Lands No: 39663-FP **Written Comments Due:** November 13, 2008

WHO IS THE APPLICANT: Mr. Will Mattox dba Royal Meadows, LLC

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Northwest Region, 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Portland, Oregon 97201-4953.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Jan Coomler at (503) 229-5087.

Any questions on the proposed certification may be addressed to the 401 Water Quality Certification Coordinator, (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its discretion, may provide additional opportunity for public comment, including public hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **November 13, 2008**. Written comments should be mailed to Oregon Department of Environmental Quality, Northwest Region, Attn: 401 Water Quality Certification Coordinator, 2020 SW Fourth Avenue, Portland, Oregon 97201-4953 or faxed to (503) 229-6957. *People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, emails may not be received prior to the close of the public comment period.* People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format to 401publiccomments@deq.state.or.us. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

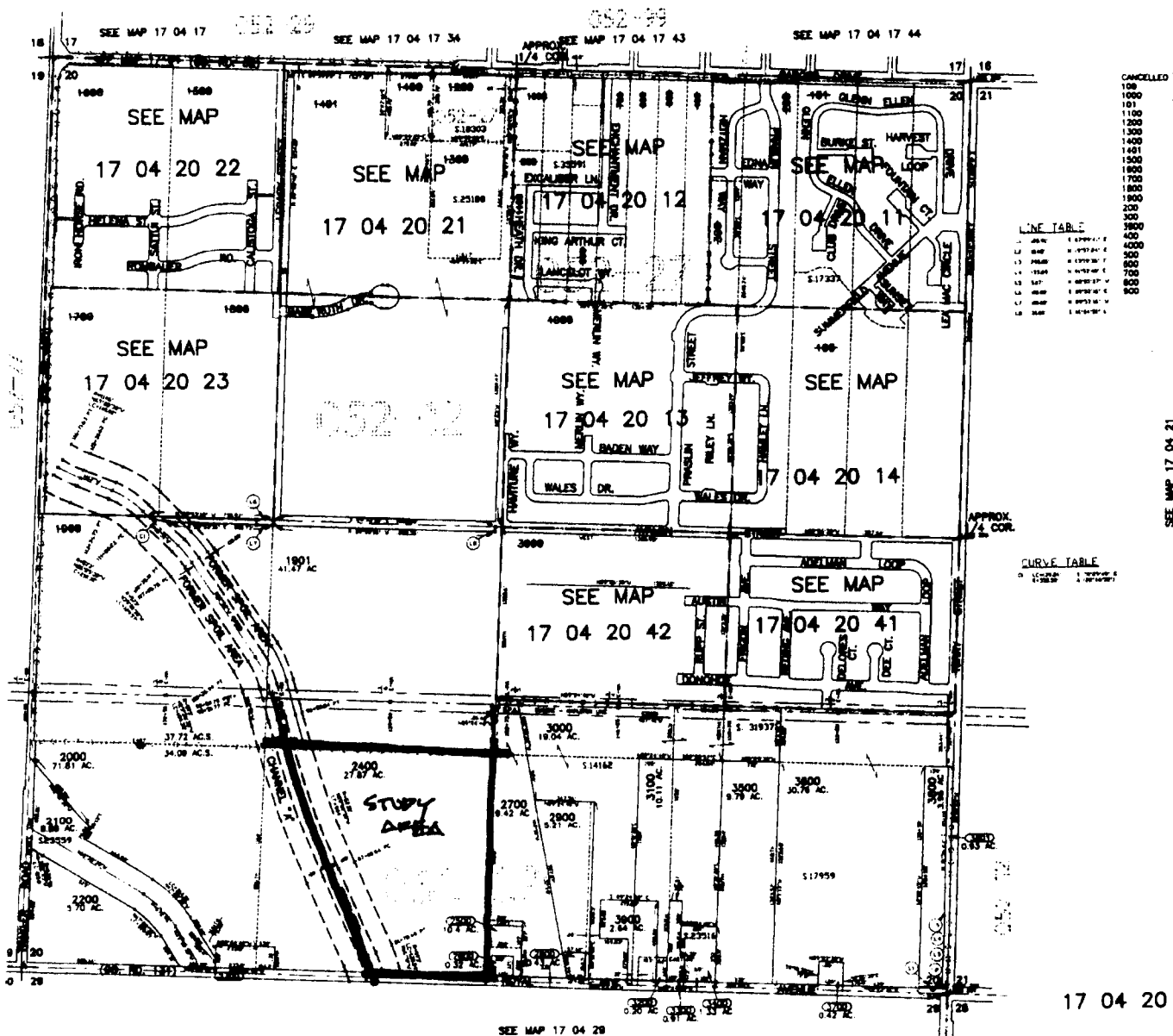
WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at (800) 452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

ASSESSMENT
D. TAXATION
ONLY

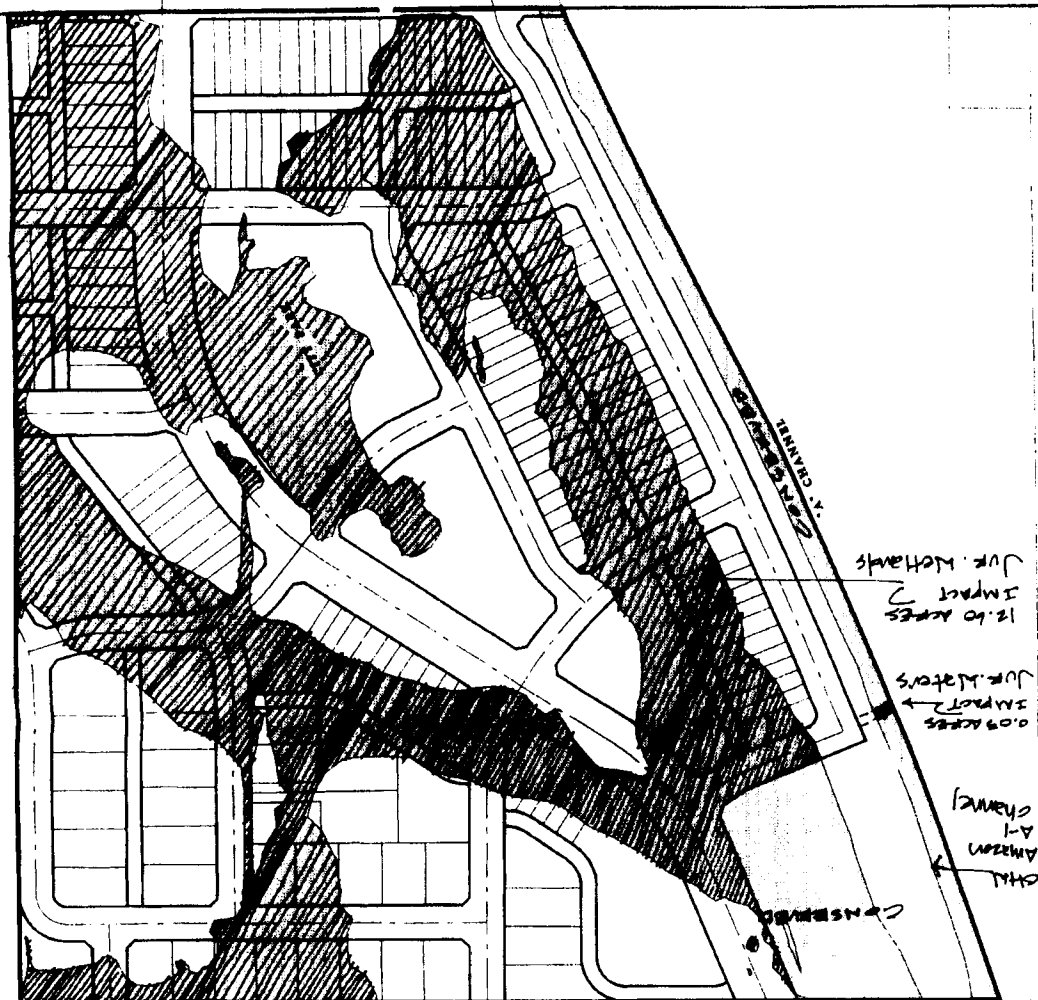
SECTION 20 T.17S. R.4W. W.M.
LANE COUNTY
SCALE 1" = 400'

17 04 20
NAD 27



Coyote Creek Environmental Services, Inc.

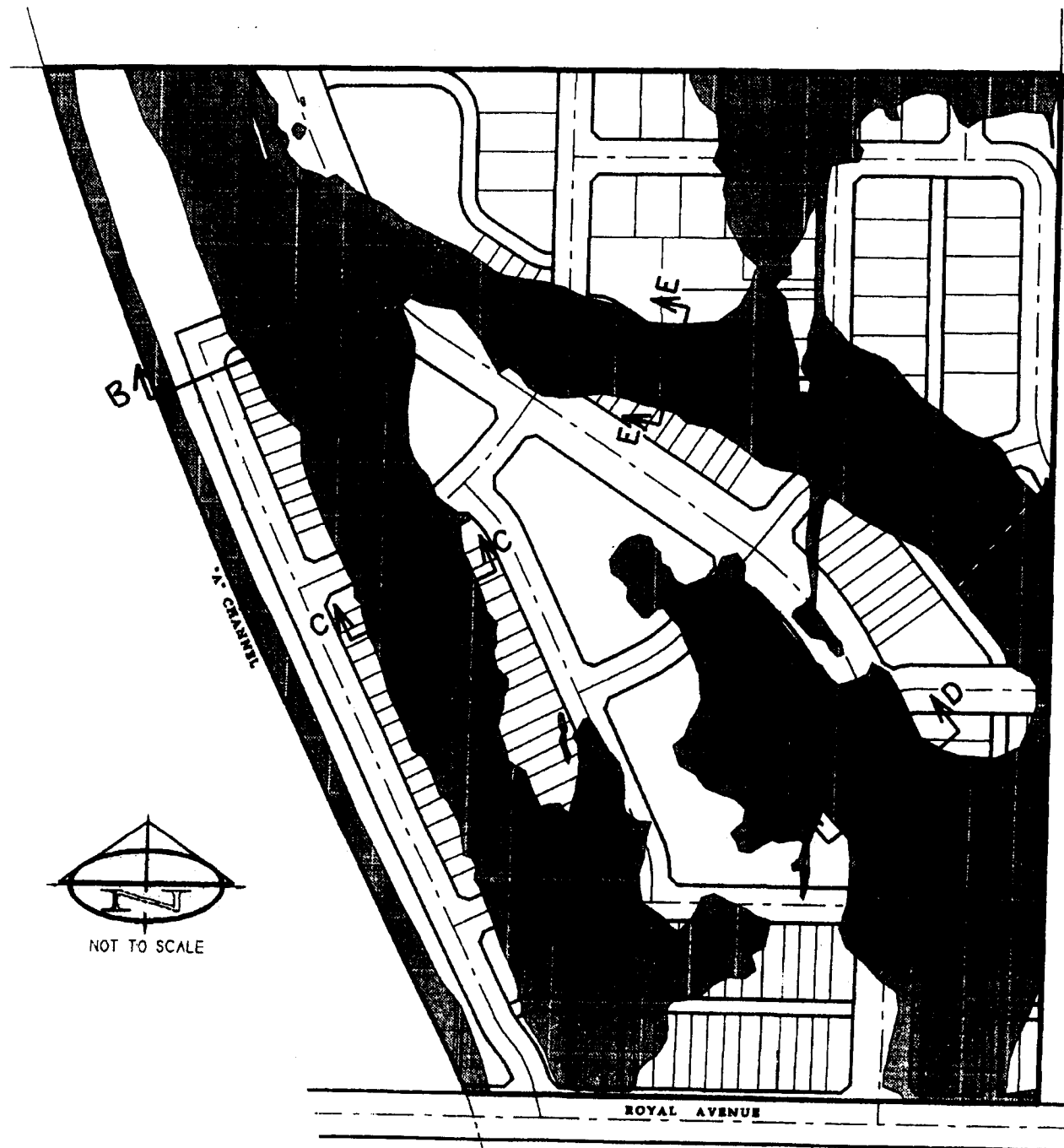
SITE PLAN 4 /
WETLAND IMPACTS



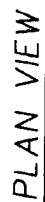
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ROYAL MEADOWS SUBDIVISION
INDEX TO CROSS-SECTIONS



SCALE : 1" = 20'

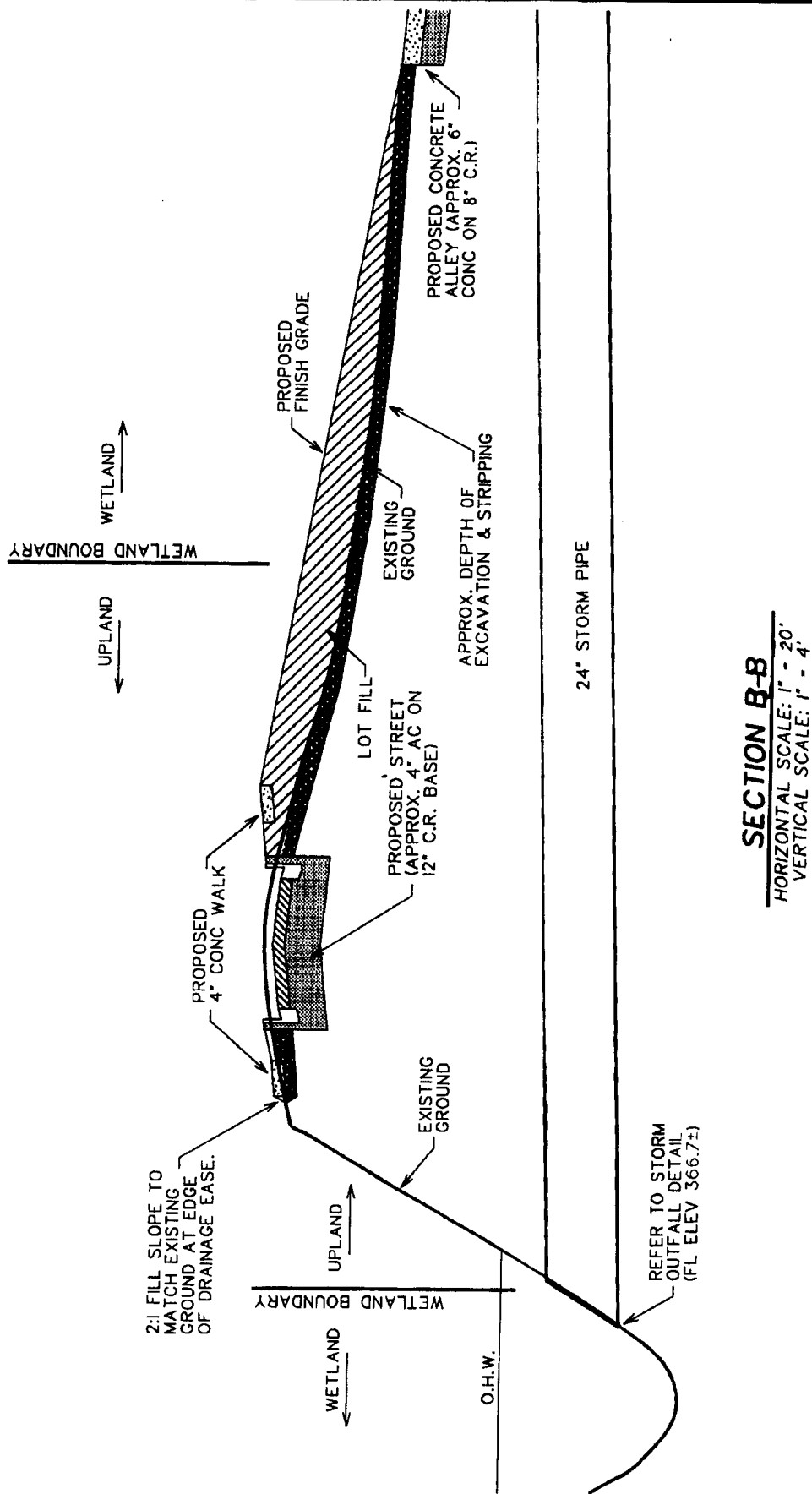


PROPOSED STORM OUTFALL

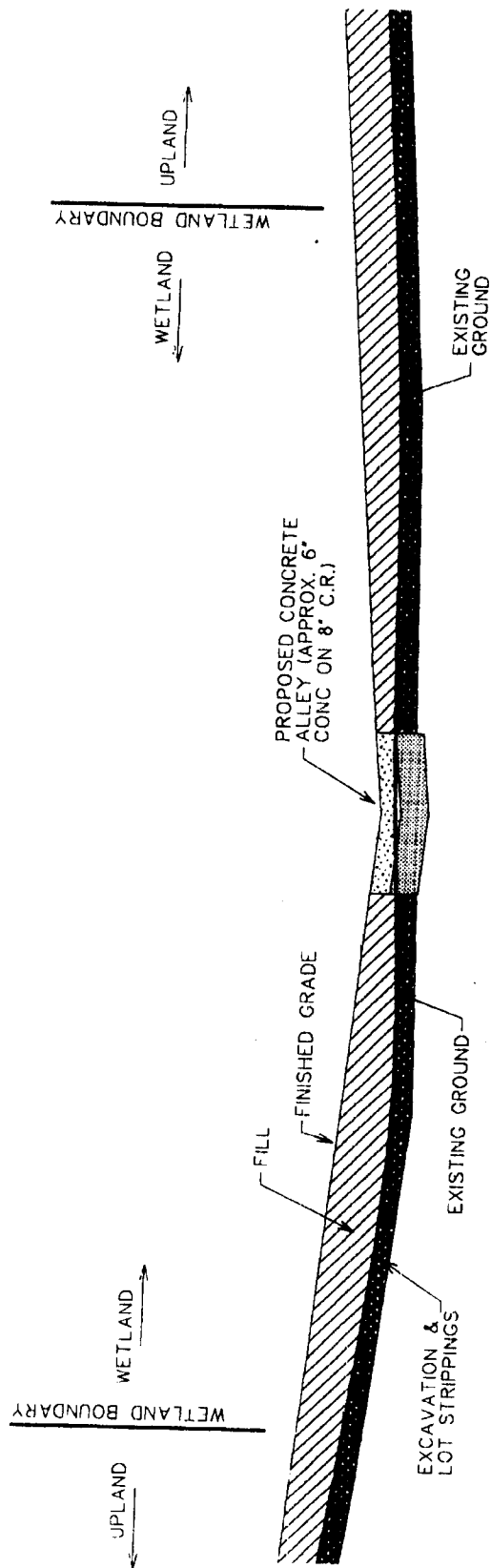
SCALE: 1" = 20'

NOTE:
RESTORE CHANNEL BANK TO PRE-EXISTING
SLOPE AFTER CONSTRUCTION. REPLANT
DISTURBANCE AREA AS NOTED ON STORM
OUTFALL DETAIL.

ROYAL MEADOWS SUBDIVISION

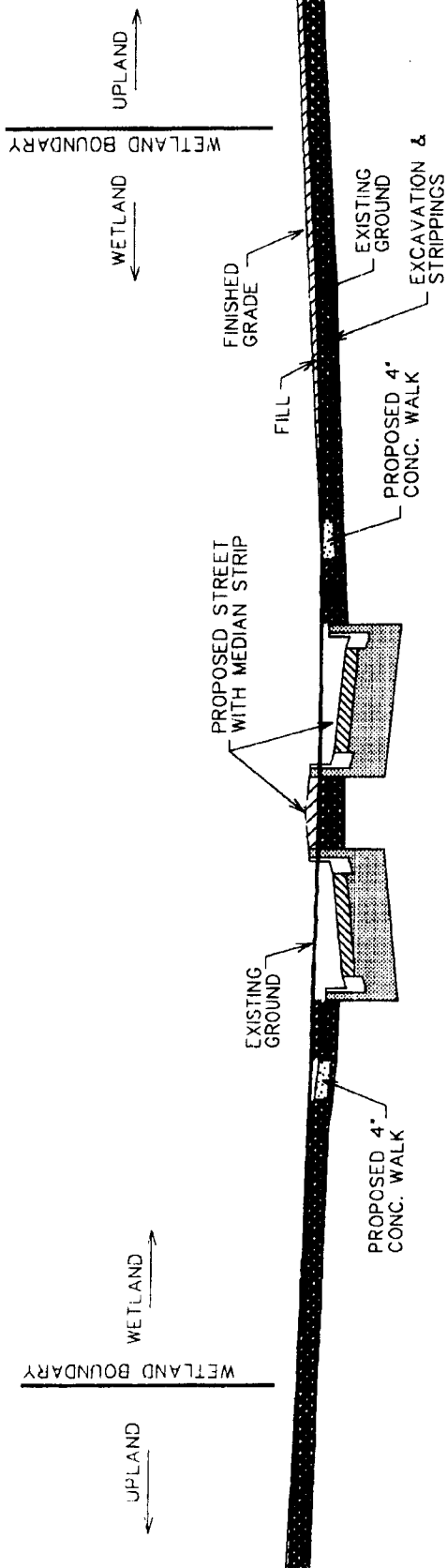


ROYAL MEADOWS SUBDIVISION



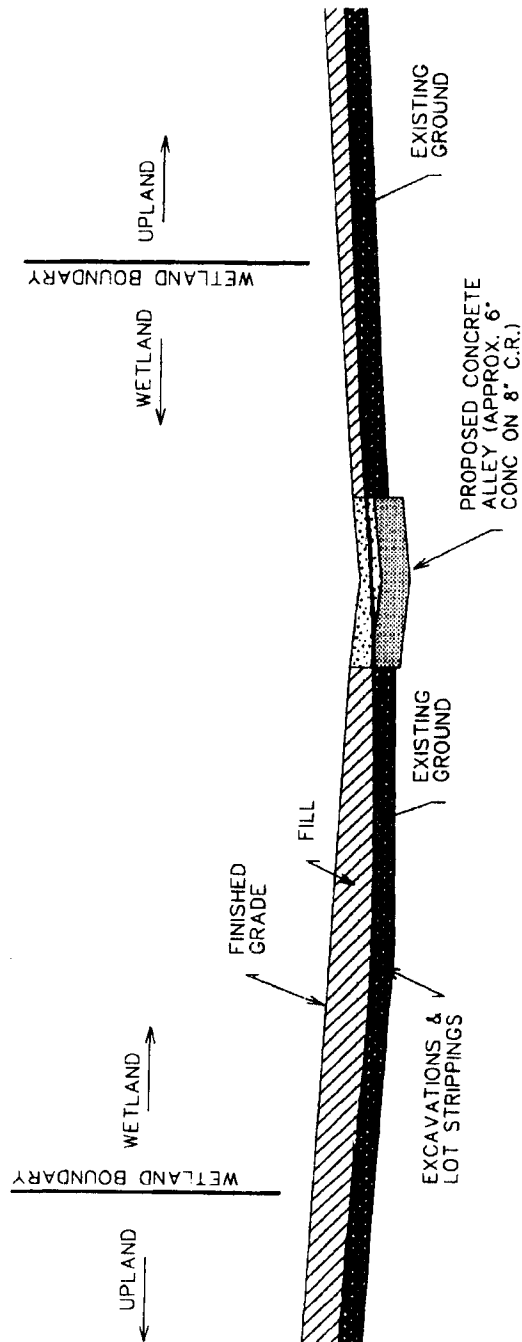
SECTION C-C
 HORIZONTAL SCALE: 1" = 20'
 VERTICAL SCALE: 1" = 4'

ROYAL MEADOWS SUBDIVISION



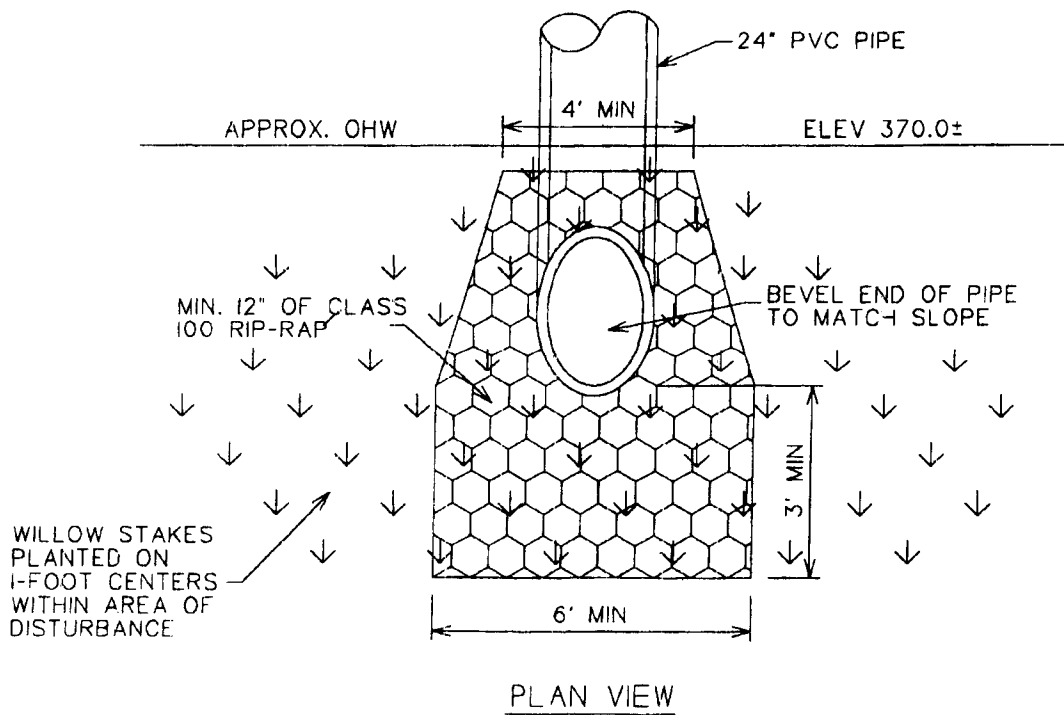
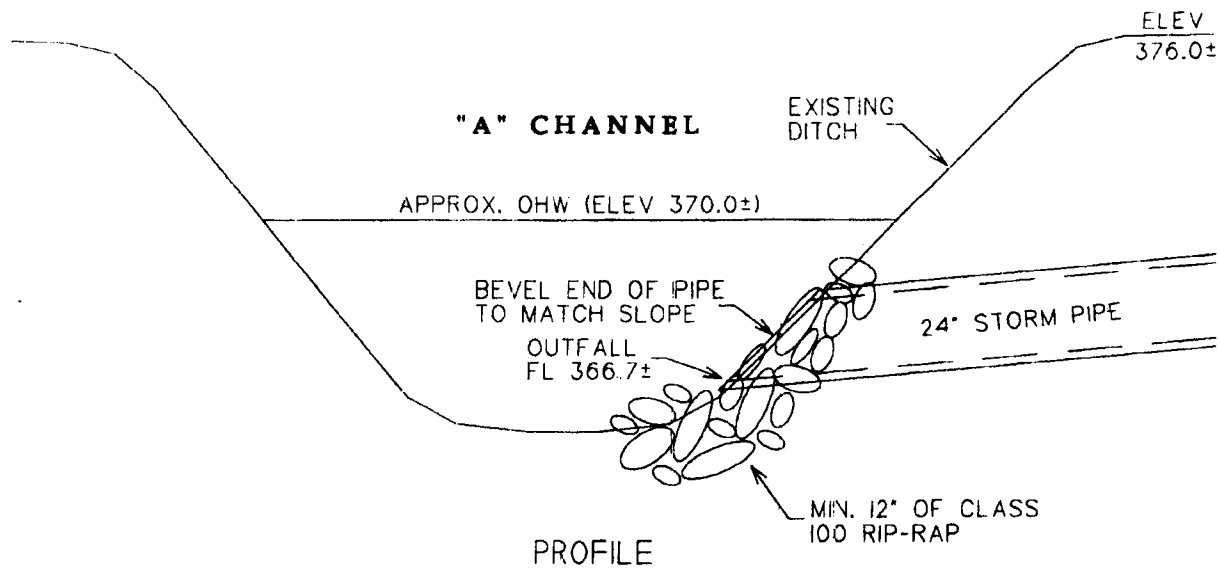
SECTION D-D
 HORIZONTAL SCALE: 1" = 20'
 VERTICAL SCALE: 1" = 4'

ROYAL MEADOWS SUBDIVISION



SECTION E-E

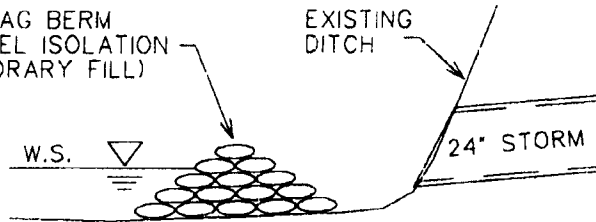
HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 4'



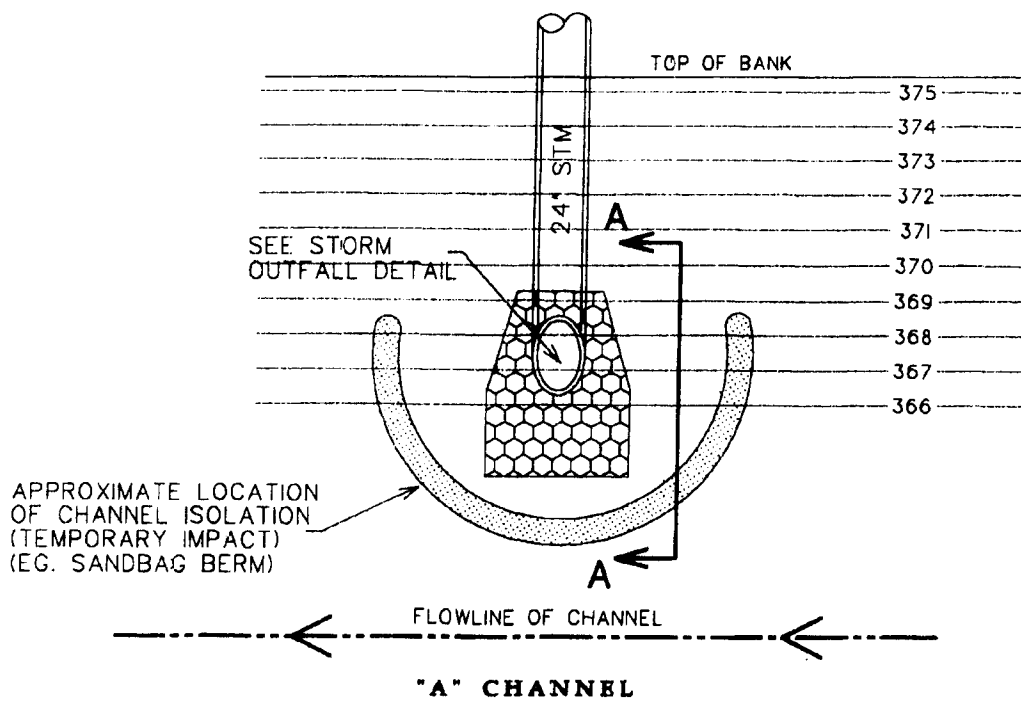
STORM OUTFALL DETAIL
NOT TO SCALE

SANDBAG BERM
CHANNEL ISOLATION
(TEMPORARY FILL)

EXISTING
DITCH



SECTION A-A



NOTE:
WORK WITHIN THE CHANNEL WILL BE CONDUCTED DURING
THE DRY SEASON (WHEN WATER LEVELS IN THE CHANNEL
ARE AT A MINIMUM) AND/OR WATER WILL BE DIVERTED
TO THE AMAZON CHANNEL AT THE UPSTREAM DIVERSION
STRUCTURE TO MINIMIZE WATER LEVELS IN THE CHANNEL
FOR THE DURATION OF THE CONSTRUCTION ACTIVITIES
LOCATED WITHIN THE CHANNEL.

OUTFALL CONSTRUCTION ISOLATION

NOT TO SCALE